

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ZAFTR INC. n/k/a SVELLA FINANCIAL
CORP.

Plaintiff,

v.

JOHN KIRK, KIRK LAW PLLC, and
NATIONAL LIABILITY & FIRE
INSURANCE COMPANY d/b/a
ATTORNEY PROTECTIVE,
Defendants.

CIVIL ACTION

NO. 24-2702

ORDER

AND NOW, this 20th day of December, 2024, upon consideration of Defendant National Liability & Fire Insurance Company d/b/a Attorney Protective's Motion to Dismiss (ECF No. 26) and all responses and replies thereto (ECF Nos. 28 and 30), **IT IS HEREBY ORDERED** that said Motion is **GRANTED** pursuant to Federal Rule of Civil Procedure 12(b)(6). It is further **ORDERED** that Count II of Plaintiff's Amended Complaint (ECF No. 14) is **DISMISSED WITH PREJUDICE** and Defendant National Liability & Fire Insurance Company d/b/a Attorney Protective is **DISMISSED** from this case.

Further, upon consideration of Defendants John Kirk and Kirk Law PLLC's Joint Motion to Dismiss Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) (ECF No. 27) and all responses and replies thereto (ECF Nos. 29 and 31), **IT IS HEREBY ORDERED** that said Motion is **DENIED**.

BY THE COURT:

/s/ *Wendy Beetlestone*

WENDY BEETLESTONE, J.